

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1859

Introduced by Assembly Member Buchanan

February 22, 2012

An act to ~~amend Section 17451 of~~ *add Section 12001.7 to the* Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1859, as amended, Buchanan. School facilities: ~~leasing of equipment; bid and contract requirements; charter schools.~~

Existing law assigns to the California School Finance Authority a specified amount of the state's 2010 federal tax credit bond volume cap for qualified school construction bonds, to be issued for the benefit of charter schools, or to be further assigned and distributed to one or more issuers in the state for the benefit of charter schools, as the California School Finance Authority determines. Existing law authorizes a charter school to apply for the federal qualified school construction bond volume cap if specified criteria are met.

This bill would require a charter school, if it applies for the federal qualified school construction bond volume cap, or any other federal bond borrowing authority, to notify, in writing and at least 45 days before submitting the application, the district superintendent of schools and the governing board of the school district in which the charter school is physically located of its intent to rehabilitate, encumber, or otherwise alter school district property.

~~Existing law requires a school district or county superintendent of schools, as lessee, to comply with specified provisions for bids and contracts before entering into a lease or lease-purchase agreement for~~

equipment, as defined, or service systems with a person, firm, corporation, or public agency.

~~This bill would make nonsubstantive changes to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12001.7 is added to the Education Code,
2 to read:

3 12001.7. Notwithstanding any other law, if a charter school
4 applies for the federal qualified school construction bond volume
5 cap, or any other federal bond borrowing authority, the charter
6 school shall notify, in writing and at least 45 days before submitting
7 the application, the district superintendent of schools and the
8 governing board of the school district in which the charter school
9 is physically located of its intent to rehabilitate, encumber, or
10 otherwise alter school district property.

11 ~~SECTION 1. Section 17451 of the Education Code is amended~~
12 ~~to read:~~

13 ~~17451. Before a lease or lease-purchase agreement may be~~
14 ~~entered into, the lessee shall comply with all applicable provisions~~
15 ~~for bids and contracts prescribed by Article 3 (commencing with~~
16 ~~Section 17595) of Chapter 5 of this part. Every contract shall show~~
17 ~~the total price for an outright purchase of an item and also its total~~
18 ~~cost for the entire specified term of the contract.~~